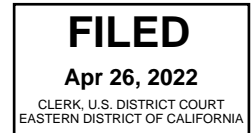


AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT  
for the  
Eastern District of California



United States of America  
v.  
Horacio ORTEGA-DIAZ,

Case No. 1:22-MJ-00064-SKO

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 16 - April 26, 2022 in the county of Kern in the  
Eastern District of California, the defendant(s) violated:

*Code Section*

*Offense Description*

7 U.S.C. § 2156

Engagement in unlawful animal fighting venture

This criminal complaint is based on these facts:

See affidavit of HSI Special Agent Cliff Turton Larde, attached hereo and incorporated herein.

☒ Continued on the attached sheet.

*Complainant's signature*

Cliff Turton Larde, HSI Special Agent

*Printed name and title*

Attested to me by the applicant in accordance with  
the requirements of Fed. R. Crim. P. 4.1 by

Date: 4/26/2022

*Judge's signature*

City and state: Fresno, CA

Hon. U.S. Magistrate Judge Sheila K. Oberto

*Printed name and title*

**AFFIDAVIT IN SUPPORT OF APPLICATION FOR ARREST WARRANT ON**  
**CRIMINAL COMPLAINT**

I, Cliff Turton Larde, Special Agent, Homeland Security Investigations, being duly sworn, state:

**AFFIANT’S TRAINING AND EXPERIENCE**

1. I am an investigator or law enforcement officer of the United States within the meaning of Title 18, United States Code, § 2510 (7), empowered to conduct investigations of, and to make arrests for, the offenses enumerated in Title 18, United States Code, § 2516.

2. I am a Special Agent (“SA”) with the United States Department of Homeland Security (“DHS”), Homeland Security Investigations (“HSI”). Prior to working for HSI, I was employed by Immigration and Customs Enforcement (“ICE”), Enforcement and Removal Operations (“ERO”) as a Deportation Officer in San Jose, California from January 2018 to March 2019. Prior to working for ERO, I was employed by the United States Border Patrol (“USBP”) as a Border Patrol Agent in Nogales, Arizona from December 2010 to December 2017. I have been employed as a SA with HSI since March 2019. During my tenure with HSI, I have completed the Criminal Investigator Training Program (“CITP”), and Homeland Security Investigations Special Agent Training (“HSI-SAT”) at the Federal Law Enforcement Training Center (“FLETC”) in Glynco, GA. Through my training, I have learned of HSI’s criminal investigative authority, as well as investigative techniques. I have executed search warrants to seize evidence of violations of federal and state law, as well as arrest warrants to apprehend individuals who have committed such violations. During the course of my employment with HSI, I have assisted in criminal investigations involving cockfighting. I have assisted other agencies in the investigations of persons involved in animal fighting offenses, I am familiar with the actions, traits, habits, and terminology utilized by handlers or owners of chickens involved in animal fighting ventures.

3. In addition, during my tenure in law enforcement, I have worked with federal, international, state, and local law enforcement agencies, including the U.S. Customs and Border

Protection (CBP), Drug Enforcement Agency (DEA), Federal Bureau of Investigation (FBI), Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), Bakersfield Parole (BP), United State Postal Service (USPS), Bakersfield Police Department (BPD), Kern County Sheriff's Office (KCSO), Kern County Probation Department (Kern Probation), California Highway Patrol (CHP) and U.S. Department of Agriculture – Office of Inspector General. Working with these different agencies has allowed me to learn from law enforcement officers with a wide range of experiences in drug investigations and other types of criminal activities.

#### **PURPOSE OF AFFIDAVIT**

4. This affidavit is submitted in support of a request that a complaint and arrest warrant be issued for Horacio ORTEGA-DIAZ, charging him with (1) attending an animal fighting venture, (2) possessing and training animals for participation in an animal fighting venture, and (3) delivering and transporting sharp instruments for use in an animal fighting venture, in violation of Title 7, United States Code, Section 2156.

#### **BASIS FOR FACTS CONTAINED IN THIS AFFIDAVIT**

5. I am familiar with the facts and circumstances described herein and make this affidavit based upon personal knowledge derived from my participation in this investigation and upon information I believe to be reliable from the following sources:

- a. Oral and written reports about this investigation and other investigations, which I have received from other members of Homeland Security Investigations (HSI), Bakersfield Police Department (BPD), Kern County Sheriff's Office (KCSO), Kern County Probation Department (Kern Probation), Drug Enforcement Administration (DEA) as well as other federal agents and state law enforcement agencies;
- b. Physical surveillance conducted by HSI, KCSO, DEA, BPD and other law enforcement agencies in this and other investigations, which have been reported to me either directly or indirectly;
- c. Conversations with KCSO Deputies and SAs with the U.S. Department of Agriculture – Office of Inspector General (USDA-OIG), who have experience and expertise in investigating suspected illegal fighting ventures;

- d. Intercepted communications made pursuant to court orders;
- e. Confidential source statements;
- f. Witness statements;
- g. Law enforcement databases; and
- h. Evidence gained through other investigative methods, such as vehicle tracking devices and pole cameras.

6. Except as otherwise noted, when I assert that a statement was made, the information was provided by another federal agent, another law enforcement officer, or a source of information (who may have had either direct or hearsay knowledge of the statement), with whom I have spoken or whose reports or statements I have reviewed. Likewise, information resulting from surveillance, except where otherwise indicated, does not necessarily set forth my own observations but rather has been provided directly or indirectly by other law enforcement officers who conducted such surveillance.

7. This affidavit is submitted for the limited purpose of seeking authorization for the above-referenced arrest warrant. Therefore, I have not set forth every fact learned during this investigation. Facts not set forth herein are not relied upon in reaching my conclusion that warrants should be issued.

#### **INTRODUCTION AND SUMMARY OF INVESTIGATION**

8. As set forth below, HSI, DEA, KCSO, BPD and its law enforcement partners have developed information that Jorge CALDERON-CAMPOS, aka "AMERICANO," and his co-conspirators are involved in the distribution of controlled substances and offenses violating the Animal Welfare Act in the Eastern District of California and elsewhere.

9. Through a variety of investigative techniques, including Court-authorized electronic surveillance pursuant to Title III wiretap orders, law enforcement discovered that CAMPOS operated a wide-ranging drug trafficking organization (the CAMPOS DTO), and that CAMPOS is heavily involved in illegal cockfighting. Through that investigation, law

enforcement identified Horacio ORTEGA-DIAZ (ORTEGA) as an associate of CAMPOS in connection with illegal cockfighting ventures. On April 26, 2022, law enforcement executed a search warrant at ORTEGA's residence and discovered significant evidence confirming his involvement with illegal cockfighting, including roosters, blades and other fighting implements, antibiotics and vitamins used for breeding, training and fighting roosters.

**STATEMENT OF PROBABLE CAUSE**

10. During the course of this investigation, Court-authorized electronic surveillance of CAMPOS's cellular phone<sup>1</sup> revealed he communicated with Horacio ORTEGA-DIAZ "Nacho"<sup>2</sup> (using 661-303-6188) on several occasions and was observed frequenting 9451 Fritz Street, Bakersfield (ORTEGA'S RESIDENCE).

11. On December 29, 2021, law enforcement surveillance units drove by ORTEGA'S RESIDENCE and observed several rooster enclosures visible from the street. Law enforcement aerial surveillance on January 20, 2022, confirmed the existence of a large number of rooster enclosures located at ORTEGA'S RESIDENCE. CAMPOS communicated frequently with ORTEGA about engaging in illegal cockfighting, based on Court-authorized electronic surveillance of CAMPOS's cellular phone.

12. On February 10, 2022, Court-authorized electronic surveillance revealed ORTEGA spoke to CAMPOS and discussed CAMPOS giving an unidentified party "the chickens." Later that same date, CAMPOS called ORTEGA and asked whether "Chevy" was at ORTEGA's location. CAMPOS then told ORTEGA to ask "Chevy" if he wanted CAMPOS to go over so he could "kick his ass." Based on my training and experience and knowledge of this

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<sup>1</sup> Authorized in Case No. 1:22-SW-00015-DAD.

<sup>2</sup> During the execution of a search warrant at ORTEGA'S RESIDENCE on April 26, 2022, discussed below, law enforcement recovered a cellular telephone in the bedside table of ORTEGA's bedroom. Law enforcement called (661) 303-6188 and the telephone rang, corroborating that ORTEGA uses the cellular phone and that the telephone calls intercepted pursuant to Court-authorized electronic surveillance of CAMPOS's phone discussed below were between CAMPOS and ORTEGA.

investigation and the context of the conversations, I believe ORTEGA was sponsoring a fighting event at his location and CAMPOS proposed to participate in the event with his own roosters.

13. On February 12, 2022, Court-authorized electronic surveillance revealed ORTEGA spoke to CAMPOS and asked whether he was at “the games” (a suspected reference to cockfight). CAMPOS reported that they were about to start the “third round” (a further suspected reference to cockfight). Later that same day, the two spoke again and revealed that there were 15 “entries” for “5,000.” Based on my training and experience and knowledge of the investigation, I believe CAMPOS and ORTEGA were discussing that 15 roosters were entered in an event for \$5,000 prize money.

14. On February 16, 2022, Court-authorized electronic surveillance revealed CAMPOS spoke with ORTEGA and ORTEGA named several people who had “played” the night prior. CAMPOS asked ORTEGA whether he had “beat their asses” and ORTEGA reported he had lost “200” (presumably \$200). CAMPOS stated he would see ORTEGA later and they would “fight.” Based on my training and experience and knowledge of the investigation, I believe “fight” was a reference to CAMPOS and ORTEGA meeting to engage in cockfighting.

15. On February 24, 2022, Court-authorized electronic surveillance of CAMPOS’s cellular phone revealed he spoke with ORTEGA and asked ORTEGA if “the guys” had arrived yet and whether they “brought barajas.” ORTEGA told CAMPOS that they had. CAMPOS told ORTEGA he was on his way over. Shortly after, Court-authorized tracker data from a truck used by CAMPOS indicated CAMPOS had arrived at ORTEGA’S RESIDENCE. Based on your affiant’s training and experience, I recognize that “barajas” is a slang term commonly used to reference cards. During the investigation CAMPOS had continued to frequent locations in Bakersfield that are known to law enforcement as “underground casinos” where individuals engage in illegal gambling for monetary gain.

16. The following day (February 25), Court-authorized electronic surveillance revealed CAMPOS called ORTEGA and asked how “Ivan” had done with “Mario’s roosters,”

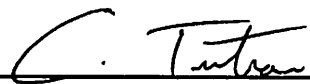
and ORTEGA reported that Mario had won three and lost one, that ORTEGA thought Ivan had not lost a rooster, and that in “the derby” (a reference to cockfight), Manny had lost one.

17. On April 26, 2022, law enforcement executed a search warrant at ORTEGA’S RESIDENCE (Case No. 1:22-SW-00215-EPG \*Sealed) and encountered ORTEGA. During a search of the property, law enforcement found approximately 250 roosters and seized approximately 250 gaffs/”Mexican slashers,” training mitts commonly used for training and fighting roosters, and miscellaneous antibiotics, vitamins and supplements that I am aware commonly are used for breeding and training roosters for fighting. ORTEGA subsequently was arrest for violations of 18 U.S.C. § 2156.


### CONCLUSION

18. Based on my training, experience, and the information contained within this affidavit, I submit there is probable cause to believe Horacio ORTEGA-DIAZ committed offenses in violation of Title 7, United States Code, Section 2156, and request that an arrest warrant be issued for these violations.

Respectfully submitted,

  
\_\_\_\_\_  
Cliff Turton Larde, Special Agent  
Homeland Security Investigations

Affidavit submitted by email/pdf and attested to me as true and accurate by telephone consistent with Fed.R.Crim.P 4(d) and 4.1 this 26<sup>th</sup> day of April, 2022.

  
\_\_\_\_\_  
Hon. Sheila K. Oberto  
U.S. Magistrate Judge, Eastern District of California

Reviewed and approved as to form:

/s/ Christopher D. Baker  
Christopher D. Baker  
Assistant U.S. Attorney